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PTO/SB/21 (08-03)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/729,802
		Filing Date	December 5, 2003
		First Named Inventor	Bryan JULIEN
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	8+12 References	Attorney Docket Number	300622010500

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-1449 + copy (4 pages) Twelve (12) references Return receipt postcard
<div>Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 25226) Randolph Ted Apple - 36,429
Signature	
Date	May 18, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.	
Dated: May 18, 2004	Signature: (Conchita Picazo-Mejia)



PATENT
Docket No. 300622010500
Client Ref. 010080.06

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on May 16, 2004.


Conchita Picazzo-Mejia

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Bryan JULIEN et al.

Serial No.: 10/729,802

Filing Date: December 5, 2003

For: DISORAZOLE POLYKETIDE
SYNTHASE ENCODING
POLYNUCLEOTIDES

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith. The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **300622010500**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 18, 2004

Respectfully submitted,

By: 
Randolph T. Apple
Registration No. 36,429

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Form PTO-1449

Docket Number 300622010500

Application Number 10/729,802

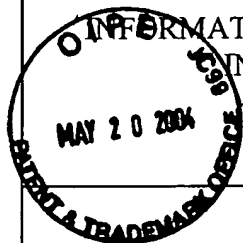
Applicant

Bryan JULIEN et al.

Filing Date December 5, 2003

Group Art Unit Not Yet Assigned

Mailing Date May 18, 2004



INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	10/17/1989	4,874,748	Katz et al.			
	2.	11/05/1991	5,063,155	Cox et al.			
	3.	03/24/1992	5,098,837	Beckmann et al.			
	4.	09/22/1992	5,149,639	Katz et al.			
	5.	09/30/1997	5,672,491	Khosla et al.			
	6.	11/11/1997	5,686,295	Jaoua et al.			
	7.	01/27/1998	5,712,146	Khosla et al.			
	8.	11/03/1998	5,830,750	Khosla et al.			
	9.	12/01/1998	5,843,718	Khosla et al.			
	10.	10/25/2002	6,410,301	Juliean et al.			
	11.	01/21/2003	6,509,455	Ashley et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	12.	07/22/1993	WO 93/13663	WIPO			
	13.	03/30/1995	WO 95/08548	WIPO			
	14.	01/23/1997	WO 97/02358	WIPO			
	15.	06/25/1998	WO 98/27203	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	16.	Cheng, Y.-Q. et al. (2002). "Identification and Localization of the Gene Cluster Encoding Biosynthesis of the Antitumor Macrolactam Leinamycin in Streptomyces Atroolivaceus S-140," <i>Journal of Bacteriology</i> 184(24):7013-7024.
	17.	Cheng, Y.-Q. et al., (2003). "Type I Polyketide Synthase Requiring a Discrete Acyltransferase for Polyketide Biosynthesis," <i>PNAS</i> 100(6):3149-3154.

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>	Docket Number 300622010500	Application Number 10/729,802
	Applicant Bryan JULIEN et al.	
	Filing Date December 5, 2003	Group Art Unit Not Yet Assigned
	Mailing Date May 18, 2004	

18.	Elnakady, Y. A. et al. (2004). "Disorazol A ₁ , A Highly Effective Antimitotic Agent Acting on Tubulin Polymerization and Inducing Apoptosis in Mammalian Cells," <i>Biochemical Pharmacology</i> 67:927-935.
19.	Hartung, I.V. et al. (2002). "Toward the Total Synthesis of Disorazole A ₁ and C ₁ : Asymmetric Synthesis of a Masked Southern Segment," <i>Organic Letters</i> 4(19):3239-3242.
20.	Irschik, H. et al. (1995). "Disorazol A, an Efficient Inhibitor of Eukaryotic Organisms Isolated from Myxobacteria," <i>The Journal of Antibiotics</i> 48(1):31-35
21.	Jansen, R. et al. (1994). "Disorazoles, Highly Cytotoxic Metabolites from the Sorangicin-Producing Bacterium <i>Sorangium Cellulosum</i> , Strain So ce12," <i>Liebigs Ann. Chem.</i> 759-773.
22.	Piel, J. (2002). "A Polyketide Synthase-Peptide Synthetase Gene Cluster from an Uncultured Bacterial Symbiont of <i>Paederus</i> Beetles," <i>PNAS USA</i> 99(22):14002-14007.
23.	Tang, G-L et al. (2004). "Leinamycin Biosynthesis Revealing Unprecedented Architectural Complexity For a Hybrid Polyketide Synthetase and Nonribosomal Peptide Synthetase," <i>Chemistry and Biology</i> 11:33-45.

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IN AN APPLICATION

(Use several sheets if necessary)

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U.S. PATENT DOCUMENTS

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